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OFFICE OF PETITIONS

In re Application of
Paul Lapstun et al.
Application No. 09/505,003
Filed: February 15, 2000
Attorney Docket No. SP05US

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This is a decision on the petition, filed September 22, 2006 under 37 CFR 1.137(b), to revive the above-identified application.

The petition is **GRANTED**.

A non-Final Office Action was mailed May 9, 2003. A response was due not later than August 9, 2003. A response in the form of an amendment was filed August 3, 2003 however, on November 24, 2003 the applicant was advised that the amendment filed was non-compliant under 37 CFR 1.121. The time for response was one month from the mailing of the November 24, 2003 Notice. No response having been filed, this application became abandoned November 29, 2003 and accordingly, a Notice of Abandonment was mailed March 24, 2006.

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by:

(1) the required reply (unless previously filed), which may be met by the filing of a continuing application in a nonprovisional application abandoned for failure to prosecute, but must be the payment of the issue fee or any outstanding balance thereof in an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof;

(2) the petition fee required by 37 CFR 1.17(l);

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

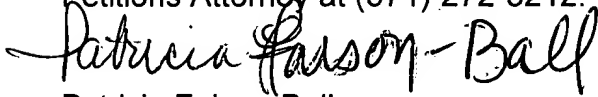
(4) a terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) in a design

application, a utility application filed before June 8, 1995, or a plant application filed before June 8, 1995.

A supplemental amendment was filed with a petition to withdraw the holding of abandonment on May 23, 2006.

This matter is being referred to Technology Center 3632 for processing of the amendment filed May 23, 2006.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

A handwritten signature in black ink, reading "Patricia Faison-Ball". The signature is written in a cursive, flowing style.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions